

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.

CROSS1570-1

First Inventor or Application Identifier

Lisheng Xing

Title

SYSTEM AND METHOD OF SUPPORTING KERNEL FUNCTIONALITY

Express Mail Label No.

EV351125816US**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:**Mail Stop Patent Application**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

1. Fee Transmittal for FY 2003
(Submit an original and a duplicate for fee processing)

6. Microfiche Computer Program (Appendix)

2. Specification [Total Pages] **53**

(preferred arrangement set forth below)

Descriptive Title of the Invention

Cross References to Related Applications

Background of the Invention

Summary of the Invention

Brief Description of the Drawings (if filed)

Description of Preferred Embodiments

References

Claim(s)

Abstract of the Disclosure

7. Nucleotide and Amino Acid Sequence Submission
(if applicable, all necessary)

a. Computer-Readable Copy

b. Paper Copy (identical to computer copy)

c. Statement verifying identity of above copies

3. Drawing(s) (35 USC 113) [Total Sheets] **6**

4. Oath or Declaration [Total Pages] **2**

a. Newly Executed (original or copy)

b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)

i. DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b)

5. Incorporation By Reference (useable if box 4b is checked).
The entire disclosure of the prior application, from
which a copy of the oath or declaration is supplied
under Box 4b, is considered to be part of the disclosure
of the accompanying application and is hereby
incorporated by reference therein.

ACCOMPANYING APPLICATION PARTS

8. Assignment Papers (cover sheet & document(s))

9. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)

10. English Translation Document (if applicable)

11. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

12. Preliminary Amendment

13. Return Receipt Postcard

14. Small Entity Statement filed in prior application,
Status still proper and desired

15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)

16. Other: **Certificate of Mailing; Filing Fee; Request for Non-Publication**

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment

Continuation Divisional Continuation-In-Part (CIP) of prior Application No.: _____

Prior application information: Examiner _____ Group / Art Unit _____

Claims the benefit of Provisional Application No. 60/419,479 filed October 18, 2002

CORRESPONDENCE ADDRESS:

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Customer No. :**25094**TYPED or PRINTED NAME **John L. Adair**REGISTRATION NO. **48,828**SIGNATURE DATE: **August 22, 2003**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003		Complete if Known	
		Application Number	Unknown
		Filing Date	August 22, 2003
		First Named Inventor	Lisheng Xing
		Examiner Name	Unknown
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	Unknown
TOTAL AMOUNT OF PAYMENT (\$ 937.00)		Attorney Docket No. CROSS1570-1	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																																																		
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None Deposit Account Number 50-0456 Deposit Account Name Gray Cary Ware & Freidenrich LLP		3. 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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	John L. Adair	Registration No. (Attorney/Agent)	48,828	Telephone	512.457.7142
Signature				Date	August 22, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Lish ng Xing
	Title	SYSTEM AND METHOD OF SUPPORTING KERNEL FUNCTIONALITY
	Atty. Docket:	CROSS1570-1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 22, 2003

Date


John L. Adair
Reg. No. 48,828

This request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

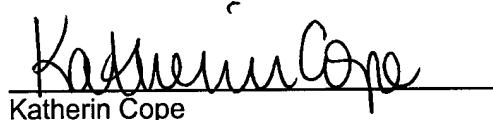
If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 C.F.R. 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 C.F.R. 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
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Atty Docket No. (Optional) CROSS1570-1	
Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	In the Application of: Lish ng Xing
	Date Filed: August 22, 2003
	Title: SYSTEM AND METHOD OF SUPPORTING KERNEL FUNCTIONALITY
Sir:	

I hereby certify that the attached Utility Patent Application Transmittal Form, Fee Transmittal, Information Disclosure Statement and PTO Form 1449 (with references attached), executed Declaration and Power of Attorney, executed Assignment and Recordation Cover Sheet, Utility Patent Application, six (6) pages of Drawings, Request for Non-Publication, Check and Postcard are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. **EV351125816US**, on **August 22, 2003**, addressed to: **Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Respectfully submitted,
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